

PART I



GOVERNMENT OF KERALA

Abstract

**LABOUR AND SKILLS DEPARTMENT—ESTT.—SENIORITY LIST OF DEPUTY LABOUR
COMMISSIONER'S AS ON 30-11-2018—FINALIZED—ORDERS ISSUED**

LABOUR AND SKILLS (D) DEPARTMENT

G. O. (P) No. 62/2020/LBR.

Dated, Thiruvananthapuram, 3rd August, 2020.

Read:—(1) Letter No. E2-2753/17 dated 12-12-2018, 23-9-2019, 25-1-2020
and 13-3-2020 received from the Labour Commissioner,
Thiruvananthapuram.

(2) Government letter of even No. dated 26-10-2019.

ORDER

The Provisional Seniority List of Deputy Labour Commissioner's as on 30-11-2018 has been forwarded to the Labour Commissioner, vide Government letter read 2nd paper above for being circulated among the officers concerned for filing objections if any, with regard to seniority assigned to them. The Labour Commissioner, Thiruvananthapuram in the letter dated 25-1-2020 has reported that Shri. R. Pramod, Chief Inspector of Plantations, Shri. Biju, K. S., Joint Labour Commissioner (Presently working as Chief Executive Officer, Kerala Shops and Commercial Establishments Workers Welfare Board), Shri. Mahesh T. Pai, Regional Joint Labour Commissioner (Presently working as Chairman, Cochin Port Trust Area), Shri. B. Arun, Deputy Labour Commissioner (now working as Joint Labour Commissioner) have raised objections against to refix the seniority of Shri. Sunil Thomas, Deputy Labour Commissioner as Serial No. 8 in between Serial No. 7 Shri. K. M. Sunil and Serial No. 9 Shri R. Pramod. In this regard a

hearing was conducted on 4-3-2020. The main argument raised in the hearing by the above officers is that Note (iii a) below Rule 28 (b) (i) (7) Part II KS&SSRs and Rule 27B Part II KS&SSRs prohibits the restoration of seniority of Shri. Sunil Thomas, Deputy Labour Commissioner.

2. Government have examined the objections raised by the above officers in detail and found that the time limit fixed for revision of Select List in Note (iii a) cannot be made applicable to the officers in Note (i), who are subsequently fully exonerated. This position has been upheld by the Hon. High Court of Kerala in the Para 8 of the Judgment dated 25-3-1994 in O.P. No. 13644/1993 [Narayana Pillai Vs State of Kerala 1994 (1) KLT 1020]. As per Note below sub-rule (8) (a) under Rule 28 (b) (i) of Part II KS&SSRs, promotion from the 1st Select List is provisional and it can be revised at any time, if it is found necessary. Promotion to Selection posts are specifically governed by Rule 28 (b) (i) Part II KS&SSRs. In this case, as Shri. Sunil Thomas is completely exonerated, the first two sentences in the Note (ii) below Rule 28 (b) (i) (7) Part II KS&SSR is applicable and his case cannot be determined under Rule 27B Part II KS&SSRs. Hence the objections raised by the above officers against the seniority list is rejected and seniority of Shri. Sunil Thomas is restored.

3. In the above circumstances, Government are pleased to finalize the seniority list of Deputy Labour Commissioner's as on 31-11-2018 as appended to this order.

By order of the Governor,

SATYAJEET RAJAN,

Additional Chief Secretary.

To

The Labour Commissioner, Thiruvananthapuram.

Persons concerned (Through Labour Commissioner).

The Principal Accountant General (Audit/A&E), Kerala,
Thiruvananthapuram.

Information Officer, Web & New Media.

Stock File.

Seniority List of Deputy Labour Commissioners' as on 30-11-2018

Sl. No.	Name	Qualification		Date of Birth	Date of commencement of continuous service	Date from which working in present post	Remarks
		General	Special				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Ranjith P. Manohar	B.A., LL.B.	A/c Test, Labour Dept. Test	28-3-1972	1-1-2003	21-8-2014	Promoted
2	Beenamol Varughese	B.Com., LL.B.	A/c Test, Labour Dept. Test	18-5-1972	11-12-2003	29-8-2014	Promoted
3	Bichu Balan	B.A., LL.B.	A/c Test, Labour Dept. Test	19-2-1975	28-6-2004	21-10-2014	Promoted
4	K. Sreelal	M.A. (PM & IR), LL.B.	A/c Test, Labour Dept. Test	1-6-1975	28-6-2004	15-10-2014	Promoted
5	R. Baiju	B.A.	A/c Test, Labour Dept. Test	24-5-1963	7-7-1983	27-7-2015	Promoted

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
6	P. N. Vijayakumar	B.Com.	A/c Test, Labour Dept. Test	16-2-1960	1-3-1984	25-7-2015	Retired
7	K. M. Sunil	B.A., LL.B.	A/c Test, Labour Dept. Test	10-3-1976	8-3-2006	27-7-2015	Promoted
8	Sunil Thomas	B.A., LL.B.	A/c Test, Labour Dept. Test	2-5-1975	8-3-2006	5-10-2017	Seniority Refixed
9	R. Pramod	B.Sc., LL.B.	A/c Test, Labour Dept. Test	25-5-1978	30-3-2006	9-7-2015	Promoted
10	K. S. Biju	B.A., LL.B.	A/c Test, Labour Dept. Test	31-12-1978	8-3-2006	18-11-2015	Promoted
11	Maresh T. Pai	B.A., LL.B.	A/c Test, Labour Dept. Test	19-5-1972	13-3-2006	18-11-2015	Promoted
12	P. R. Sankar	B.A., MSW	A/c Test, Labour Dept. Test	13-5-1976	8-3-2006	25-11-2015	Promoted

13	Suresh Kumar, D.	B.Sc., LL.B.	A/c Test, Labour Dept. Test	11-5-1976	10-3-2006	20-11-2015	::
14	Arun, B.	B.Sc., MSW, LL.B.	A/c Test, Labour Dept. Test	13-3-1978	9-3-2006	18-11-2015	::
15	Suresh, M. G.	B.Sc., LL.B.	A/c Test, Labour Dept. Test	3-5-1970	9-3-2006	18-8-2016	::
16	Shajeena, M.	B.A., LL.B.	A/c Test, Labour Dept. Test	24-5-1971	8-3-2006	27-9-2017	::
17	Vipinlal, K. V.	B.Com., LL.B.	A/c Test, Labour Dept. Test	31-5-1974	15-3-2006	27-9-2017	::
18	V. P. Yamuna	B.A., LL.B.	A/c Test, Labour Dept. Test	27-5-1978	10-3-2006	11-10-2017	::

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
19	Satheesh Kumar, K. L.	B.Sc., LL.B.	A/c Test, Labour Dept. Test	25-3-1974	7-3-2006	28-9-2017	..
20	Harikumar, R.	B.Sc., LL.B.	A/c Test, Labour Dept. Test	26-12-1969	15-3-2006	18-6-2018	..
21	Sindhu, K. S.	B.A., LL.B.	A/c Test, Labour Dept. Test	20-5-1977	8-3-2006	4-6-2018	..
22	Vinod Kumar, K.	B.A., LL.M.	A/c Test, Labour Dept. Test	28-5-1975	8-3-2006	4-6-2018 A.N.	..
23	Muhammed Ziyad, K. S.	B.Sc., LL.B.	A/c Test, Labour Dept. Test	2-8-1977	10-3-2006	21-6-2018	..
24	R. Gopakumar	B.Sc.	A/c Test, Labour Dept. Test	31-7-1962	6-10-1984	9-7-2018	Retired on 31-7-2018